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17555 PEAK AVENUE MORGAN HILL, CALIFORNIA 95037

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Morgan Hill Civic Center  
Council Chambers  
17555 Peak Avenue  
Morgan Hill, CA 95037

Chair:  
Vice-Chair:  
Commission Member:  
Commission Member:  
Commission Member:  
Commission Member:

Craig C. Van Keulen	(CRC, OSC)
Kimberly Leiser	(AC, CRC)
Katharine Hardt-Mason	(MHUSD)
Martin Cheek	(OSC, LCAC)
Lisa Aragon	
Mary Kaye Gerski	(YAC)
Frank Weiland	(County)

## **PARKS AND RECREATION COMMISSION**

### **REGULAR MEETING MINUTES**

**July 19, 2011**

*Minutes recorded by Commissioner Aragon.*

#### **CALL TO ORDER**

Chair van Keulen called the meeting to order at 7:03 p.m.

#### **ROLL CALL ATTENDANCE**

Present: Chair van Keulen, Commissioner Hardt-Mason, Commissioner Cheek, Commissioner Gerski, Commissioner Aragon

Absent: Vice-chair Leiser, Commission Weiland

#### **DECLARATION OF POSTING OF AGENDA**

In compliance with Government Code 54954.2

#### **PLEDGE OF ALLEGIANCE**

Led by Chair van Keulen

#### **PUBLIC COMMENTS**

Jim Sergi owns 10 acres of land in Morgan Hill (since 1958) at Tennant and Condit. The property is available for sale and recommends that the City of Morgan Hill consider purchasing the property for use as additional sports fields. Mr. Sergi stated that if the City bought the property for sports fields he could provide the funding/financing. He is very happy to propose ideas and is willing to be creative.

## **CONSENT CALENDAR**

Commissioner Hardt-Mason made a motion to adopt the minutes from the May 17, 2011 meeting. Commissioner Gerski seconded it. Approved unanimously.

## **ADVANCE ANNOUNCEMENT**

Commissioner Aragon reminded the Commission that she is working with the Chamber of Commerce Taste of Morgan Hill Committee and organizing free bicycle parking at the Morgan Hill festival on September 24 and 25. She is requesting volunteer help from the PRC members. Commissioners Cheek and Gerski said they were available to help. Please contact Commissioner Aragon if you are able to help.

## **BUSINESS**

### **1. PRC MEETING MINUTES RESPONSIBILITIES**

A list of meeting minute takers was proposed. Also proposed that the person taking the minutes will also do the Pledge of Allegiance.

Commissioner Hardt-Mason made the motion to approve the list of proposed schedule of minute takers.

Commissioner Gerski seconded the motion.

Approved unanimously.

### **2. MORGAN HILL YOUTH SPORTS ALLIANCE REPORT**

Chair Van Kulen requested that to help expedite the meeting and be efficient, in the future please get proposal or packet to commissioners and give short concise report, which can be followed by Commissioners questions, comments, etc.

Commission Receive report from Jeff Dixon. Report includes financial packet. Discussion, question and answers followed report.

Comm Gerski

Q – How does the report compare to budget?

A - Current report is below budget for concessions in Q4. Q3 dropped and then MHYSA took over operations in Q4 and is seeing improvements.

Q- Can future reports add the budget dollars in another column, to compare actuals to budget?

A -they should not include budget dollars because it could compromise their competitive advantage.

Q - How can the PRC understand the results if we can't see the actuals against budget/plan?  
How can PRC know if the MHYSA is meeting their goals.

A - The Audit report due by October 31<sup>st</sup> to the City will show the results.

Comm Hardt-Mason –

Q - New Revenue sources are needed. How are the hotels feeling?

A - Hotels are promoted through the website. Ramada and Courtyard on involved and Holiday Inn Express is not participating. Hayse Mansion is becoming a partner. South San Jose Residence Inn is becoming a partner.

Q - How are things going with Marketing with Downtown association?

A - Everyone he has spoken with says soccer weekends are great. Working with Chamber of Commerce. Distribute dining guides from the Chamber. Starting a Concierge Service to provide reservations in advance. Working on a vision to have this facility be a national facility by advertising across the country.

Q - Are OVYSL & CYSA on board?

A - Yes with CYSA the largest contributor.

Q – Are schools getting access to the fields?

A – Yes, very easily due to the timeframe and scheduling.

VanKuelen –

Q – Have we had regional or national events yet?

A – Yes, see the Report.

Q – How many hours per week are you working with the City?

A – We are providing weekly updates. A couple hours per week.

Comment by VanKeulen – Disappointed with the cover letter and the lack of income sheet. We can't evaluate progress without a balance sheet. PRC needs to see an income statement and balance sheet – including the budget numbers. Need to see Budget/Plan vs. Month and YTD results so we can see how things are going.

Q – Can this information be provided?

A – We will consider this request. The budget information can jeopardize the competitive advantage. The Budget is not public record. The information that was originally provided to PRC was not budget. It was pro-forma.

Q-How are the concessions dollars reported?

A – It is the percent of gross. It is revenue. MHYSA took over concession in April. It's a Net value.

Q – How are on-field rentals revenue dollars reported? Is the revenue from field use or deposits?

A – It is only thru field use. Not deposits. Deposits are not reflected as income.

Q – How are Sponsorships going?

A – Spent most of the first six months on operations, local advertising and local relationships. They do not have any long term sponsorships yet. There are three deals almost completed (due in 3-6 months).

Q-We are in July 1/2-way through the year. Why are the financial reports not thru June 30<sup>th</sup>?

A – Met with City in February 2010 and meeting all contractual requirements. Started on 7/1/2010. Reporting per contract this quarterly following the CPA audit (Jeff needs to get the correct audit terminology). Van Kuelen thought it would be a quarterly audit/report. This is the 4<sup>th</sup> quarter report. Again, PRC would like to see a financial report, not just a narrative report.

Q -What is the status of the facility lease?

A – Amount paid to City is per the contract. Payments are for Q1 (Oct10).

Comments – There are few/little repairs and maintenance expenses.

Q – Please explain the Salaries, it seems like the staff are taking a big check.

A – Salaries are for GM and contractors.

Q – What are the Utilities costs for?

A – Above ground watering is inefficient and time consuming.

Q – Is there in-kind revenue?

A – There are some minor amounts. IE, Red Tail Hawk get's field time, and maybe others get free parking. It is not reflected in revenue.

Recommendation by VanKuelen – Add a line item, even if it's zero for now and keep track of all in-kind revenue. Consider using a ticket system to keep track of it all.

Q from MK Gerski – Is there a process for auditing the contractors.?

A – No.

Comment by MHYSA - PRC has never asked these questions before. When Council approved this agreement, the requirement was for the first two years to provide a formal check-in (2 out of 5) and can choose to terminate the lease or not.

Comment from K.Hardt-Mason – When YMCA merged with CRC, they provided reports. MHYSA response - This is not the same type of agreement/arrangement.

Q – How do we know MHYSA is meeting the standards of the terms of the agreement?

And, how can PRC report back to Council without the complete package of information?

Comment from van Kuelen – PRC wants to be a good partner and help MHYSA to be successful, but needs to see the necessary information and financials need to be clear.

Comment from K.Hardt-Mason – PRC needs to see YTD financials compared to what was proposed to PRC. Compare actuals to Contract/Proforma . Looking for a means to measure actuals against what was projected. Currently, financials are showing a Net Loss. How is this compared to goals & proposal? Maybe the loss was planned, but how would PRC be able to tell?

Q from VanKulen – There was a leak reported, please explain.

A – It was fixed. It was from the condensers from the A/C – not an issue.

Q – Did you get Non-Profit status?

A – MHYSA is still a 501C4 (no opportunity for donations) not 501C3.

Q by L.Aragon – These questions demonstrate exactly why PRC needs to see YTD actuals against Plan. It is the only way to see progress. PRC asked for clear financial reporting last quarter (similar questions/requests then). It is frustrating this information is not being provided.

Jeff explained the timing of the report. There is one due in April and report for 1<sup>st</sup> and 2<sup>nd</sup> quarters. That report was just submitted at end of June (due to accounting/auditing issues). PRC requests that due dates sync to contract dating.

Q van Kuelen – Please report on actual field use. How does it compare historically?

A – Field usage is going up.

Comment – PRC would like to see report on quarter to quarter usage and break out between turf and grass fields, to see usage increase or decrease over time.

Motion by Gerski to support council reconsider revising financials submitted from April 30 and instead move to October to coincide with contract year of July to June. Have the report due before October 1<sup>st</sup>.

Seconded by Hardt-Mason.

Approved unanimously

### **3. Adopt A Park Update by MK Gerski –**

The subcommittee worked closely with Tony. Need two documents to go forward. Need more detail for terms of Administrative Policy. These are needed for volunteers such as Eagle Scouts or memorials. Need to review it and bring to PRC next meeting to vote.

Naming of parks is under Council policy.

Public Comment – Doug Muirhead

Objected to Volunteer Release Form. It is too one-sided (in favor of City). Would like to see a revised release form that is not so restrictive.

Q by van Kuelen – Is there a way to have City Attorney look at the liability release waiver?

Motion by Gerski to ask City Attorney review the Volunteer Release for to see if it can be improved to encourage/allow more volunteers

Seconded by Cheek.

Approved unanimously.

### **4. Liaison assignments –**

School District = K. Hardt-Mason

CRC = van Keulen, K. Leiser

AC = K. Leiser  
YAC = M. Gerski  
LCAC = Cheek  
County = Weiland  
VTA = L. Aragon declined for the near future.  
MHYSA = van Keulen and Cheek

**5. Work Plan Assignments -**

- 1) Downtown Linear Park Vision: L. Aragon, K. Hardt-Mason & F. Weiland
- 2) Adopt-A-Park: K. Leiser, L. Aragon, MK. Gerski
- 3) Tobacco Prevention: K. Leiser, F. Weiland, M. Cheek
- 4) Park Acquisition: K. Hardt-Mason, van Keulen

There is a Tobacco Prevention Grant that has been awarded to City for \$20K. Considering applying towards downtown public events. Council to review and adopt as a policy or ordinance.

**ANNOUNCEMENTS**

K.Hardt-Mason – Promoting the Leadership Morgan Hill class project “Bricks”. Buy a brick and support the kids. She will send links to the forms.

M.Cheek – Announced that as of August 1<sup>st</sup>, his book is released! He also advises that his book schedule may impact his volunteer time and will need to evaluate his availability at the end of his term.

M.Cheek asked if PRC needs to initiate a meeting with Jim Sergi regarding his proposal for his property. No – the Parks and Acquisition subcommittee can work with him.

**FUTURE COMMISSION INITIATED AGENDA ITEMS:**

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

None.

**ADJOURNMENT**

Chair van Keulen adjourned the meeting at 8:35 p.m. The next Regular Parks & Recreation Commission meeting is at 7:00 p.m. on September 20, 2011 in City Council Chambers, City Hall, 17555 Peak Avenue, Morgan Hill.

**NOTICE**

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the legislative body less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the legislative body. (Pursuant to Government Code 54957.5)

**PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA**

Following the opening of the Meeting, the public may present comments on items *NOT* appearing on the agenda that are within the Commission's jurisdiction. If your comments require Commission action, your request will be placed on the next appropriate agenda. No discussion or action may be taken until your item appears on a future agenda. You may contact the Clerk for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

**PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA**

The Parks & Recreation Commission welcomes comments from all individuals on any agenda item being considered by the Commission. Please complete a Speaker Card and present it to the Clerk. This will assist the Members in hearing your comments at the appropriate time. Speaker cards are available from staff. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Commission. However, it is very helpful to the Commission if speaker cards are submitted. As your name is called, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the Commission are limited to three minutes. We appreciate your cooperation.

**NOTICE**

**AMERICANS WITH DISABILITIES ACT (ADA)**

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City. If you need special assistance to access the meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation. Please make your request at least 48 hours prior to the meeting to enable staff to implement reasonable arrangements to assure accessibility to the meeting.

If assistance is needed regarding any item appearing on the agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

**NOTICE**

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to the Public Hearing on these matters.

**NOTICE**

The time within which judicial review must be sought of the action by the Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.